

REMARKS

This paper responds to the Office Action mailed on September 11, 2006.

Claim 41 is amended. Claims 1-6, 13-22, 29-32, 38, and 40-43 remain pending in this application.

§102 Rejection of the Claims

Claims 41-43 were rejected under 35 USC § 102(e) as being anticipated by Searls et al. (U.S. 6,856,016 B2).

Applicant respectfully traverses for at least the reasons presented below.

Applicant submits that claims 41-43 are not anticipated by Searls et al. is because Searls et al. teaches different things from those recited in claims 41-43. However, to move prosecution of this application forward, Applicant amends claim 41 and submits the following.

Independent claim 41 recites, among other things, that "the first and nanostructures and the second nanostructures include molecules to facilitate adhesion of the first nanostructures and the second nanostructures to each other". Applicant believes that claim 41 is not anticipated by Searls et al. because Applicant is unable to find in Searls et al. everything recited in claim 41. For example, Applicant is unable to find in Searls et al. "the first and nanostructures and the second nanostructures include molecules to facilitate adhesion of the first nanostructures and the second nanostructures to each other". Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 41. Dependent claims 42 and 43 depend from claim 41 and recite the things of claim 41. Thus, Applicant believes that claims 42 and 43 are not anticipated by Minzoni for at least the reasons presented above regarding claim 41, plus the things recited in claims 42 and 43. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claims 42 and 43.

§103 Rejection of the Claims

Claims 1-3, 6, 13, 14, 30, 31, 38, and 40 were rejected under 35 USC § 103(a) as being unpatentable over Searls et al. (U.S. 6,856,016 B2) in view of Edman et al. (U.S. 7,060,224 B2).

Claims 4-5 and 32 were rejected under 35 USC § 103(a) as being unpatentable over Searls et al. (U.S. 6,856,016 B2) and Edman et al. (U.S. 7,060,224 B2) in view of Chen et al. (U.S. 2005,0059238 A1).

Claims 15, 17-19, 22, and 29 were rejected under 35 USC § 103(a) as being unpatentable over Prasher et al. (U.S. 2005/0105272 A1) in view of Searls et al. (U.S. 6,856,016 B2) and further in view of Edman et al. (U.S. 7,060,224 B2).

Claim 16 was rejected under 35 USC § 103(a) as being unpatentable over Prasher (U.S. 2005/0105272 A1), Searls et al. (U.S. 6,856,016 B2) and Edman et al. (U.S. 7,060,224 B2) as applied to claims 15 and 18 above, and further in view of Tobita et al. (U.S. 6,730,731 B2).

Claims 20 and 21 were rejected under 35 USC § 103(a) as being unpatentable over Prasher (U.S. 2005/0105272 A1), Searls et al. (U.S. 6,856,016 B2), and Edman et al. (U.S. 7,060,224 B2) as applied to claims 15 and 18 above, and further in view of Chen et al. (U.S. 2005/0059238 A1).

Applicant respectfully traverses for at least the reasons presented below.

As indicated above, Searls et al. is used as one of the references to reject claims 1-6, 13-22, 29-32, 38, and 40.

Applicant submits that Searls et al. is not a reference against the present application in accordance with 35 USC § 103(c).

MPEP section 706.02(l)(2) states that the following statement is sufficient evidence to establish common ownership of, or an obligation for assignment to, the same person(s) or organizations(s):

Applications and references (whether patents, patent applications, patent application publications, etc.) will be considered by the examiner to be owned by, or subject to an obligation of assignment to the same person, at the time the invention was made, if the applicant(s) or an attorney or agent of record makes a statement to the effect that the application and the reference were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same person.

Applicant makes such a statement with regard to the present application and Searls et al. (U.S. 6,856,016 B2). Specifically, applicant states that at the time the inventions were made, the

present application and Searls et al. (U.S. 6,856,016 B2) were owned by or subject to an obligation of assignment to Intel Corporation.

As the applicant have met the requirements of MPEP 706.02(l)(2), applicant requests withdrawal of the rejection under 35 USC § 103(a) in accordance with 35 USC § 103(c).

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 373-6969) to facilitate prosecution of this application.


If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 30th day of November 2006.

Amy Moriarty
Name


Signature